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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MARTIN ALFREDO LEIVA-LEIVA ET AL,  
  
Defendants.

CASE NO. 1:22-CR-00232-JCC-BAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL  
ACT; ORDER

DATE: January 22, 2025  
TIME: 1:00 p.m.  
COURT: Hon. Barbara A. McAuliffe

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. Defendants are set for a status conference on **January 22, 2025**, in front of the Honorable Barbara A. McAuliffe, U.S. Magistrate Court Judge. The parties wish to **continue the status conference to February 26, 2025**.

2. All parties have previously stipulated to a finding that the case is a "complex case" pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii).

3. This case was originally set for status conference on February 19, 2025, before Judge Oberto. Subsequent to that setting, the case was reassigned was reset to January 22, 2025, before Judge McAuliffe. Time was waived through February 19, 2025.

4. Several counsel have represented that they have scheduling issues on January 22, 2025.

1           5. All parties agree to exclude time between January 22, 2025, and February 26, 2025,  
2 inclusive.

3           6. The parties agree and stipulate, and request that the Court find the following:

4           a) The discovery associated with this case is voluminous and includes tens of  
5 thousands of pages, including investigative reports, photographs and videos, as well as hundreds  
6 of hours of recorded telephone conversations pursuant to wiretap orders, cellular phone  
7 extractions, and large amounts of cellular telephone precise location data and vehicle tracker  
8 data. All this discovery has been either produced directly to counsel and/or produced to a court-  
9 appointed discovery coordinator, and/or made available for inspection and copying.

10           b) The government has filed notices indicating that it will not be seeking the death  
11 penalty against certain defendants. Subsequent to those notices, defense counsel has been  
12 engaged in settlement negotiations and subsequent investigation, but because of the complexity  
13 of the case additional time is required.

14           c) Complex Case Designation: Additionally, the parties stipulate and agree that the  
15 case should be designated a “complex case” as it so complex, due to the nature of the prosecution  
16 that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself  
17 within the time limits established by 18 U.S.C. § 3161.

18           d) Counsel for defendants desire additional time to consult with their clients, conduct  
19 investigation, review the voluminous discovery, prepare for a possible trial, and explore a  
20 potential resolution of the case.

21           e) Counsel for defendants believe that failure to grant the above-requested  
22 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
23 into account the exercise of due diligence.

24           f) The government does not object to the continuance.

25           g) Based on the above-stated findings, the ends of justice served by continuing the  
26 case as requested outweigh the interest of the public and the defendant in a trial within the  
27 original date prescribed by the Speedy Trial Act.

28           h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,

et seq., within which trial must commence, the time period of **January 22, 2025** to **February 26, 2025**, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(i), B(ii), and B(iv) because the case is so unusual or so complex, due to the number of defendants, the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by this section. This stipulation also results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

7. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: January 2, 2025

PHILLIP A. TALBERT  
United States Attorney

/s/ Robert L. Veneman-Hughes  
ROBERT L. VENEMAN-HUGHES  
Assistant United States Attorney

Dated: January 2, 2025

/s/ Tim Warriner  
Tim Warriner  
Counsel for Defendant  
Martin Alfredo Leiva-Leiva

Dated: January 2, 2025

/s/ Kim Freter  
Kim Freter  
Learned Counsel for Defendant  
Martin Alfredo Leiva-Leiva

1 Dated: January 2, 2025

/s/ Jonathan C. Aminoff

Jonathan C. Aminoff  
Counsel for Defendant  
Jose Rene Barrera-Martinez

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3 Dated: January 2, 2025

/s/ Jimmy Threat

Jimmy Threat  
Counsel for Defendant  
Jose Rene Barrera-Martinez

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6 Dated: January 2, 2025

/s/ Galatea DeLapp

Galatea DeLapp  
Counsel for Defendant  
Angel Antonio Diaz-Morales

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9 Dated: January 2, 2025

/s/ Teri Thompson

Teri Thompson  
Learned Counsel for Defendant  
Angel Antonio Diaz-Morales

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12 Dated: January 2, 2025

/s/ Dina Santos

Dina Santos  
Counsel for Defendant  
Luis Fausino Diaz-Pineda

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15 Dated: January 2, 2025

/s/ James Castle

James Castle  
Learned Counsel for Defendant  
Luis Faustino Diaz-Pineda

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18 Dated: January 2, 2025

/s/ Daniel Benjamin Olmos

Daniel Benjamin Olmos  
Counsel for Defendant  
Juan Carlos Urias-Torres

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21 Dated: January 2, 2025

/s/ Adilene Flores

Adilene Flores  
Counsel for Defendant  
Juan Carlos Urias-Torres

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23  
24 Dated: January 2, 2025

/s/ David Stern

David Stern  
Learned Counsel for Defendant  
Angel Antonio Castro-Alfaro

1 Dated: January 2, 2025

/s/ Kasha Castillo

Kasha Castillo  
Counsel for Defendant  
Jose Joaquin Orellana

3 Dated: January 2, 2025

/s/ Ellis Murray Johnston

Ellis Murray Johnston  
Learned Counsel for Defendant  
Jose Joaquin Orellana

6 Dated: January 2, 2025

/s/ Michael McKneely

Michael McKneely  
Counsel for Defendant  
Julio Cesar Recinos-Sorto

9 Dated: January 2, 2025

/s/ Mark Goldenrosen

Mark Goldrosen  
Learned Counsel for Defendant  
Julio Cesar Recinos-Sorto

12 **ORDER**

14 IT IS SO ORDERED that the status conference is continued from January 22, 2025, to **February**  
15 **26, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.** Time is  
16 excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(i), B(ii), and B(iv).

18 IT IS SO ORDERED.

19 Dated: January 2, 2025

/s/ *Barbara A. McAuliffe*

UNITED STATES MAGISTRATE JUDGE